



Docket No.: 025444.1059-US02  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Wing-Kee P. Cho

Application No.: 10/699,987

Art Unit: 1615

Filed: November 3, 2003

Examiner: H. N. Sheikh

For: EXTENDED RELEASE ORAL DOSAGE  
COMPOSITION

**SECOND PRELIMINARY AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

05/01/2006 JADD01 00000098 500740 10699987

01 FC:1201 2600.00 DA  
02 FC:1202 2700.00 DA

**Remarks/Arguments** begin on page 17 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and



## AMENDMENT TRANSMITTAL LETTER

Docket No.  
025444.1059-US02

Application No.  
10/699,987

Filing Date  
November 3, 2003

Examiner  
H. N. Sheikh

Art Unit  
1615

Applicant(s): Wing-Kee P. Cho

Invention: EXTENDED RELEASE ORAL DOSAGE COMPOSITION

### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED  |   |   |                                   |          |          |
|--|---|---|-----------------------------------|----------|----------|
|  | Claims<br>Remaining<br>After<br>Amendment | Highest<br>Number<br>Previously<br>Paid | Number<br>Extra Claims<br>Present | Rate     |          |
| Total Claims   | 79  | - 25 =                                  | 54                                | x 50.00  | 2,700.00 |
| Independent<br>Claims  | 18  | - 5 =                                   | 13                                | x 200.00 | 2,600.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |   |   |                                   |          |          |
| Other fee (please specify):  |   |   |                                   |          |          |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:                                 |   |   |                                   |          | 5,300.00 |

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☒ Please charge Deposit Account No. 50-0740 in the amount of \$ 5,300.00.  
A duplicate copy of this sheet is enclosed.

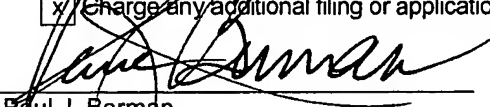
☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-0740  
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
Paul J. Berman  
Attorney/Agent Reg. No.: 36,744

Dated: April 28, 2006

COVINGTON & BURLING  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401  
(202) 662-6000



|  |                      |                          |                  |
|--|----------------------|--------------------------|------------------|
| <b>FEE TRANSMITTAL</b><br><b>For FY 2006</b>                                   |                      | <b>Complete if Known</b> |                  |
|  |                      | Application Number       | 10/699,987       |
|  |                      | Filing Date              | November 3, 2003 |
|  |                      | First Named Inventor     | Wing-Kee P. Cho  |
|  |                      | Examiner Name            | H. N. Sheikh     |
|  |                      | Art Unit                 | 1615             |
|  |                      | Attorney Docket No.      | 025444.1059-US02 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 |                      |                          |                  |
| <b>TOTAL AMOUNT OF PAYMENT</b>   | <b>(\$)</b> 5,300.00 |                          |                  |

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-0740 Deposit Account Name: Covington & Burling

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

| Fee Description                                    | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
|  | Fee (\$) | Fee (\$)              |
| Each claim over 20 (including Reissues)            | 50       | 25                    |
| Each independent claim over 3 (including Reissues) | 200      | 100                   |
| Multiple dependent claims                          | 360      | 180                   |

| Total Claims   | Extra Claims | Fee (\$)   | Fee Paid (\$) | Multiple Dependent Claims |
|--|--------------|------------|---------------|---------------------------|
| 79   | - 25 = 54    | x 50.00 =  | 2,700.00      |                           |
| HP = highest number of total claims paid for, if greater than 20.      |              |            |               |                           |
| Indep. Claims  | Extra Claims | Fee (\$)   | Fee Paid (\$) |                           |
| 18   | - 5 = 13     | x 200.00 = | 2,600.00      |                           |
| HP = highest number of independent claims paid for, if greater than 3. |              |            |               |                           |

| 3. APPLICATION SIZE FEE   |              |  |          |               |
|---|--------------|--|----------|---------------|
| If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). |              |  |          |               |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|   | - 100 =      | /50 (round up to a whole number) x               |          |               |

| 4. OTHER FEE(S)   |  | Fees Paid (\$) |
|---|--|----------------|
| Non-English Specification. \$130 fee (no small entity discount) |  |                |
| Other (e.g., late filing surcharge):                            |  |                |

|                     |                |                         |                |
|---------------------|----------------|-------------------------|----------------|
| <b>SUBMITTED BY</b> |                | Registration No.        | Telephone      |
| Signature           |                | (Attorney/Agent) 36,744 | (202) 662-6000 |
| Name (Print/Type)   | Paul J. Berman | Date                    | April 28, 2006 |

Application No.: 10/699,987

2

Docket No.: 025444.1059-US02

any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.